

HOUSE JOURNAL OF THE IDAHO LEGISLATURE

SECOND REGULAR SESSION
FIFTY-NINTH LEGISLATURE

SEVENTY-FOURTH LEGISLATIVE DAY
THURSDAY, MARCH 20, 2008

House of Representatives

The House convened at 10:00 a.m., the Speaker in the Chair.

Roll call showed all 70 members present.

Prayer was offered by Chaplain Tom Dougherty.

The Pledge of Allegiance was led by Kyle Guth, Page.

Approval of Journal

March 20, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have read and approved the House Journal of the Seventy-third Legislative Day and recommend that same be adopted as corrected.

CLARK, Chairman

Mr. Clark moved that the report be adopted. Seconded by Mrs. Boe. Report adopted.

Consideration of Messages from the Governor and the Senate

OFFICE OF THE GOVERNOR
Boise

March 19, 2008

The Honorable Lawrence Denney
Speaker of the House

Dear Mr. Speaker:

I have the honor to advise you that I have signed today and am transmitting to the Secretary of State the following House Bills, to wit:

H 365, as amended, H 398, H 405, H 407, H 411, H 412, H 415, H 426, H 432, H 433, H 441, H 442, H 463, H 472, H 474, H 526, as amended, H 544, H 546, H 547, H 554, H 569, H 575, H 587, H 590, H 595, and H 600

As Always - Idaho, "Esto Perpetua"
/s/ C. L. "Butch" Otter
Governor

March 19, 2008

Mr. Speaker:

I transmit herewith enrolled **S 1339**, as amended, as amended in the House, and **S 1370**, as amended in the House, for the signature of the Speaker.

WOOD, Secretary

The Speaker announced he was about to sign enrolled **S 1339**, as amended, as amended in the House, and **S 1370**, as amended in the House, and, when so signed, ordered them returned to the Senate.

March 19, 2008

Mr. Speaker:

I return herewith enrolled **H 348**, as amended, **H 350**, as amended in the Senate, **H 400, H 422**, as amended in the Senate, **H 470**, as amended in the Senate, **H 476, H 480, H 512, H 528**, as amended in the Senate, **H 543**, as amended, **H 548, H 608, H 609, H 610, H 611, H 613**, and **H 614** which have been signed by the President.

WOOD, Secretary

Enrolled **H 348**, as amended, **H 350**, as amended in the Senate, **H 400, H 422**, as amended in the Senate, **H 470**, as amended in the Senate, **H 476, H 480, H 512, H 528**, as amended in the Senate, **H 543**, as amended, **H 548, H 608, H 609, H 610, H 611, H 613**, and **H 614** were referred to the Judiciary, Rules, and Administration Committee for delivery to the Governor.

March 19, 2008

Mr. Speaker:

I transmit herewith **SCR 138, SCR 139, S 1497, S 1498, S 1499, S 1500, S 1501, S 1502, S 1503, S 1504, S 1484, S 1508, S 1505**, and **S 1447**, as amended, which have passed the Senate.

WOOD, Secretary

SCR 138, SCR 139, S 1497, S 1498, S 1499, S 1500, S 1501, S 1502, S 1503, S 1504, S 1484, S 1508, S 1505, and **S 1447**, as amended, were filed for first reading.

March 19, 2008

Mr. Speaker:

I return herewith **H 549, H 621, H 622, H 625, H 626, H 628, H 629, H 541**, as amended, **H 627, H 635**, and **H 636** which have passed the Senate.

WOOD, Secretary

H 549, H 621, H 622, H 625, H 626, H 628, H 629, H 541, as amended, **H 627, H 635**, and **H 636** were referred to the Judiciary, Rules, and Administration Committee for enrolling.

March 19, 2008

Mr. Speaker:

I return herewith **H 491**, as amended in the Senate, which has passed the Senate.

WOOD, Secretary

H 491, as amended in the Senate, was ordered held at the Desk.

Mr. Patrick asked unanimous consent that the House concur in the Senate amendments to **H 491**, as amended in the Senate. There being no objection, it was so ordered.

H 491, as amended in the Senate, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

Mr. Lake asked unanimous consent that **H 662** and **H 664** be placed on General Orders for consideration. There being no objection, it was so ordered.

Report of Standing Committees

March 20, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have printed **H 673**, **H 674**, and **H 675**.

CLARK, Chairman

H 673 was filed for second reading.

H 674 and **H 675** were referred to the Revenue and Taxation Committee.

March 20, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 517**, as amended, as amended in the Senate, **H 397**, as amended in the Senate, and **H 382**, as amended, as amended in the Senate.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 517**, as amended, as amended in the Senate, **H 397**, as amended in the Senate, and **H 382**, as amended, as amended in the Senate, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 19, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have had under consideration **S 1438**, as amended, and recommend that it do pass.

CLARK, Chairman

S 1438, as amended, was filed for second reading.

March 19, 2008

Mr. Speaker:

We, your COMMITTEE ON STATE AFFAIRS, report that we have had under consideration **S 1276** and report it back with amendments attached to be placed on General Orders for consideration.

LOERTSCHER, Chairman

S 1276 was placed on General Orders for consideration.

March 19, 2008

Mr. Speaker:

We, your COMMITTEE ON REVENUE AND TAXATION, report that we have had under consideration **H 656** and report it back with amendments attached to be placed on General Orders for consideration.

LAKE, Chairman

H 656 was placed on General Orders for consideration.

There being no objection, the House advanced to the Seventh Order of Business.

Motions, Memorials, and Resolutions

SCR 138 and **SCR 139**, by State Affairs Committee, were introduced, read the first time by title, and filed for second reading.

Introduction, First Reading, and Reference of Bills and Joint Resolutions

S 1497, **S 1498**, **S 1499**, **S 1500**, **S 1501**, **S 1502**, **S 1503**, **S 1504**, **S 1508**, and **S 1505**, by Finance Committee, were read the first time by title and filed for second reading.

S 1484, by State Affairs Committee, was introduced, read the first time by title, and referred to the State Affairs Committee.

S 1447, as amended, by State Affairs Committee, was introduced, read the first time by title, and held at the Desk.

There being no objection, the House advanced to the Tenth Order of Business.

Second Reading of Bills and Joint Resolutions

H 667, **H 668**, **H 669**, **H 670**, and **H 672**, by Appropriations Committee, were read the second time by title and filed for third reading.

SCR 136, by State Affairs Committee, was read the second time by title and filed for third reading.

H 661 and **H 599**, as amended, by Revenue and Taxation Committee, were read the second time by title and filed for third reading.

H 612, as amended, by State Affairs Committee, was read the second time by title and filed for third reading.

Third Reading of Bills and Joint Resolutions

Mr. Moyle asked unanimous consent that **H 578** and **HJR 4** retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

Mr. Moyle asked unanimous consent that **H 654** be placed on General Orders for consideration. There being no objection, it was so ordered.

S 1449, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Sayler to open debate.

The question being, "Shall **S 1449**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Bayer, Bedke, Bell, Bilbao, Black, Block,

Bock, Boe, Bolz, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Durst, Eskridge, Hart, Henbest, Henderson, Jaquet, Killen, King, LeFavour, Moyle, Nonini, Pasley-Stuart, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thomas, Trail, Vander Woude, Wills, Wood(27). Total -- 49.

NAYS -- Andrus, Barrett, Bowers, Crane, Hagedorn, Harwood, Kren, Labrador, Lake, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Nielsen, Patrick, Shepherd(08), Thayne, Wood(35), Mr. Speaker. Total -- 21.

Total -- 70.

Whereupon the Speaker declared **S 1449**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1444, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Anderson to open debate.

Pursuant to Rule 38(3), Mr. Anderson disclosed a conflict of interest regarding **S 1444**, as amended.

The question being, "Shall **S 1444**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **S 1444**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

S 1435, as amended, was read the third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Ms. King to open debate.

The question being, "Shall **S 1435**, as amended, pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas,

Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- Schaefer. Total -- 1.

Absent and excused--Roberts. Total -- 1.

Total -- 70.

Whereupon the Speaker declared **S 1435**, as amended, passed the House. Title was approved and the bill ordered returned to the Senate.

Mr. Moyle asked unanimous consent that **SJM 111** and **SCR 134** retain their places on the Third Reading Calendar for one legislative day. There being no objection, it was so ordered.

There being no objection, the House returned to the Seventh Order of Business.

Motions, Memorials, and Resolutions

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 667** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 667** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Saylor, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayne, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- Durst. Total -- 1.

Absent and excused--Roberts. Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 667** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Eskridge to open debate.

The question being, "Shall **H 667** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet,

Killen, King, Labrador, LeFavour, Loertscher, Luker, Mathews, McGeachin, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 64.

NAYS -- Barrett, Lake, Marriott, Mortimer, Moyle. Total -- 5.

Absent and excused--Kren. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 667** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 668** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 668** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- Durst. Total -- 1.

Absent and excused--Roberts. Total -- 1.
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 668** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mrs. Ringo to open debate.

The question being, "Shall **H 668** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08),

Shirley, Shively, Smith(30), Smith(24), Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 69.

NAYS -- None.

Absent and excused--Snodgrass. Total -- 1.
Total -- 70.

Whereupon the Speaker declared **H 668** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 669** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 669** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- Durst. Total -- 1.

Absent and excused--Roberts. Total -- 1.
Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 669** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

Mr. Bayer asked unanimous consent that, pursuant to Rule 22, discussion of other bills be allowed in debate of **H 669**. There being no objection, it was so ordered.

The question being, "Shall **H 669** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson,

Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 669** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with the immediate consideration of **H 670** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 670** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- Durst. Total -- 1.

Absent and excused--Roberts. Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 670** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 670** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 70.

Whereupon the Speaker declared **H 670** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that all rules of the House interfering with

the immediate consideration of **H 672** be suspended; that the portions of Section 15, Article 3 of the Constitution of the State of Idaho, requiring all bills to be read on three several days be dispensed with, this being a case of urgency; and that **H 672** be read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration. Seconded by Ms. Jaquet.

The question being, "Shall the rules be suspended?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bedke, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Eskridge, Hagedorn, Hart, Harwood, Henbest, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- Durst. Total -- 1.

Absent and excused--Roberts. Total -- 1.

Total -- 70.

Whereupon the Speaker declared that more than two-thirds of the membership having voted in the affirmative, the motion carried, the rules were suspended, and **H 672** was read the first time by title, second time by title, and third time at length, section by section, and placed before the House for final consideration.

At this time, the Speaker recognized Mr. Bayer to open debate.

The question being, "Shall **H 672** pass?"

Roll call resulted as follows:

AYES -- Anderson, Andrus, Barrett, Bayer, Bell, Bilbao, Black, Block, Bock, Boe, Bolz, Bowers, Brackett, Bradford, Chadderdon, Chavez, Chew, Clark, Collins, Crane, Durst, Eskridge, Hagedorn, Hart, Harwood, Henderson, Jaquet, Killen, King, Kren, Labrador, Lake, LeFavour, Loertscher, Luker, Marriott, Mathews, McGeachin, Mortimer, Moyle, Nielsen, Nonini, Pasley-Stuart, Patrick, Pence, Raybould, Ringo, Roberts, Ruchti, Rusche, Sayler, Schaefer, Shepherd(02), Shepherd(08), Shirley, Shively, Smith(30), Smith(24), Snodgrass, Stevenson, Thayn, Thomas, Trail, Vander Woude, Wills, Wood(27), Wood(35), Mr. Speaker. Total -- 68.

NAYS -- None.

Absent and excused--Bedke, Henbest. Total -- 2.

Total -- 70.

Whereupon the Speaker declared **H 672** passed the House. Title was approved and the bill ordered transmitted to the Senate.

Mr. Moyle moved that the House recess until 1:30 p.m. Seconded by Ms. Jaquet. Motion carried.

Whereupon the Speaker declared the House at recess until 1:30 p.m.

RECESS

Afternoon Session

The House reconvened at 1:30 p.m., the Speaker in the Chair.

Roll call showed 59 members present.

Absent and excused –Anderson, Black, Clark, Hart, Henbest, Jaquet, Killen, Mortimer, Smith(24), Trail, Wood(35). Total –11.
Total -- 70.

Prior to recess, the House was at the Seventh Order of Business.

Motions, Memorials, and Resolutions

There being no objection, the House returned to the Fifth Order of Business.

Report of Standing Committees

March 20, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have enrolled **H 549, H 621, H 622, H 625, H 626, H 628, H 629, H 541**, as amended, **H 627, H 635**, and **H 636**.

CLARK, Chairman

The Speaker announced he was about to sign enrolled **H 549, H 621, H 622, H 625, H 626, H 628, H 629, H 541**, as amended, **H 627, H 635**, and **H 636**, and, when so signed, ordered them transmitted to the Senate for the signature of the President.

March 20, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have engrossed **H 491**, as amended in the Senate.

CLARK, Chairman

H 491, as amended in the Senate, was filed for first reading of engrossed bills.

March 20, 2008

Mr. Speaker:

We, your COMMITTEE ON JUDICIARY, RULES, AND ADMINISTRATION, report that we have transmitted enrolled **H 348**, as amended, **H 350**, as amended in the Senate, **H 400, H 422**, as amended in the Senate, **H 470**, as amended in the Senate, **H 476, H 480, H 512, H 528**, as amended in the Senate, **H 543**, as amended, **H 548, H 608, H 609, H 610, H 611, H 613**, and **H 614** to the Governor at 11:40 a.m., as of this date, March 20, 2008.

CLARK, Chairman

There being no objection, the House advanced to the Eighth Order of Business.

Introduction, First Reading, and Reference of Bills and Joint Resolutions**HOUSE BILL NO. 676
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO SALES AND USE TAXES; AMENDING SECTION 63-3619, IDAHO CODE, TO PROVIDE A RATE OF THE SALES TAX AT TWO PERCENT ON PURCHASES OF MOTOR FUELS THAT ARE SUBJECT TO THE MOTOR FUELS TAX; AMENDING SECTION 63-3621, IDAHO CODE, TO PROVIDE A RATE OF THE USE TAX AT TWO PERCENT ON PURCHASES OF MOTOR FUELS THAT ARE SUBJECT TO THE MOTOR FUELS TAX; AMENDING SECTION 63-3622C, IDAHO CODE, TO PROVIDE A PARTIAL EXCEPTION TO THE SALES AND USE TAX EXEMPTION FOR MOTOR FUELS; AND AMENDING SECTION 63-3638, IDAHO CODE, TO PROVIDE FOR A DISTRIBUTION TO THE HIGHWAY DISTRIBUTION ACCOUNT OF SALES AND USE TAX REVENUES COLLECTED FROM THE IMPOSITION OF A TWO PERCENT TAX ON PURCHASES OF MOTOR FUELS THAT ARE SUBJECT TO THE MOTOR FUELS TAX.

**HOUSE BILL NO. 677
BY WAYS AND MEANS COMMITTEE
AN ACT**

RELATING TO OPERATING FEES FOR VEHICLES WITH A MAXIMUM GROSS WEIGHT EXCEEDING EIGHT THOUSAND POUNDS; AMENDING SECTION 49-434, IDAHO CODE, TO INCREASE OPERATING FEES FOR COMMERCIAL, NONCOMMERCIAL AND FARM VEHICLES HAVING A MAXIMUM GROSS WEIGHT NOT EXCEEDING SIXTY THOUSAND POUNDS, TO INCREASE THE REGISTRATION FEE ON COMMERCIAL TRAILERS AND TO INCREASE THE FEES FOR VEHICLES HAVING A MAXIMUM GROSS WEIGHT IN EXCESS OF SIXTY THOUSAND POUNDS; DIRECTING THE IDAHO TRANSPORTATION DEPARTMENT TO APPLY THE FEE SCHEDULES IN SECTION 1 OF THIS ACT TO REGISTRATIONS EFFECTIVE ON AND AFTER JANUARY 1, 2010, TO ALL APPLICATIONS SUBMITTED DURING THE PERIOD JULY THROUGH DECEMBER 2009; AND PROVIDING EFFECTIVE DATES.

H 676 and **H 677** were introduced, read the first time by title, and referred to the Judiciary, Rules, and Administration Committee for printing.

First Reading of Engrossed Bills

H 491, as amended in the Senate, by Business Committee, was read the first time by title and filed for second reading.

There being no objection, the House advanced to the Twelfth Order of Business.

Consideration of General Orders

Mr. Moyle moved that the House do now resolve itself into a Committee of the Whole House for the consideration of General Orders. Seconded by Mr. Saylor. Motion carried.

Whereupon the House resolved itself into a Committee of the Whole House for the consideration of General Orders with Mr. Bedke in the Chair.

When the Committee of the Whole House rose, the Speaker returned to the Chair and the House was in order.

Whereupon the Speaker declared the House adjourned at 1:54 p.m.

LAWRENCE DENNEY, Speaker

Report of the Committee of the Whole House

ATTEST:

BONNIE ALEXANDER, Chief Clerk

March 20, 2008

Mr. Speaker:

We, your COMMITTEE OF THE WHOLE HOUSE, report that we have had under consideration **H 654** and report it back without recommendation, amended as follows:

HOUSE AMENDMENT TO H.B. NO. 654

AMENDMENT TO SECTION 1

On page 1 of the printed bill, delete lines 28 through 37 and insert:

"(a) A violation of subsection (1)(a) or (1)(b) of this section constitutes a misdemeanor punishable by not more than six (6) months in jail, or a fine of not more than one thousand dollars (\$1,000), or both.

(b) A violation of subsection (1)(c) of this section constitutes a felony punishable by imprisonment for not more than five (5) years, or a fine of not more than five thousand dollars (\$5,000), or both.

(4) The term "physical injury" means a condition of the body, such as a wound or external or internal injury, whether of a minor or serious nature, caused by physical force.

(5) The term "woman" includes a minor female."

CORRECTION TO TITLE

On page 1, in line 5 following "SUIT" delete "AND" and insert: ";"; and in line 6 following "PENALTIES" insert: "AND TO PROVIDE DEFINITIONS".

We have also had under consideration **H 475, H 478, H 479, H 662, H 664, H 656, S 1280, S 1281** and **S 1276**, report progress and beg leave to sit again.

BEDKE, Chairman

Mr. Bedke moved that the report be adopted. Seconded by Mr. Moyle.

Whereupon the Speaker declared the report adopted.

H 654, as amended, was referred to the Judiciary, Rules, and Administration Committee for engrossing.

H 475, H 478, H 479, H 662, H 664, H 656, S 1280, S 1281 and **S 1276** were retained on General Orders.

The amendments were referred to the Judiciary, Rules, and Administration Committee for printing.

There being no objection, the House advanced to the Sixteenth Order of Business.

Adjournment

Mr. Moyle moved that the House adjourn until 9:30 a.m., Friday, March 21, 2008. Seconded by Mr. Sayler. Motion carried.